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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,450	04/19/2004	Michael Norvise	PA 104-04	1045
27587	7590	03/07/2005	EXAMINER	
LEONARD WEISS 2300 W. SAHARA AVENUE, BOX 34 LAS VEGAS, NV 89102			PASSANITI, SEBASTIANO	
			ART UNIT	PAPER NUMBER
			3711	

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/826,450	Applicant(s) NORVISE, MICHAEL	
	Examiner Sebastiano Passaniti	Art Unit 3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on see detailed Office action.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This Office action is responsive to communication received 04/19/2004 – application papers filed.

Claims 1-8 are pending.

Following is an action on the MERITS:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Miller. As to claim 1, Miller details metal-to-metal contact between section (10) and head portion (2). Thus, the body is of metal and further includes a front face (Figures 3, 4). Flange (14) may be considered a plate that is fixed to the front face and defines at least a portion of the striking face. Lip (12) including line (13) serves as the claimed sighting fin having a horizontal surface that extends rearward from a boundary of the face plate. Note hosel (3). As to claim 5, note support part (17) that fits into a cut-out portion in the rear of the putter head body.

Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Dalton. As to claim 1, note metal body (6) as detailed in col. 3, lines 6-10 along with plate (30) fixed to the front surface (15) of the head. In at least one embodiment (Figure 3), Dalton shows a structure (12a) having a horizontal surface that extends rearward from a boundary of the face plate and serves as the claimed sighting fin. Note hosel (5)

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to which shaft (7) is connected. As to claim 6, Figure 4 shows that the body has a bottom that extends upward and rearward with respect to the front face when the putter is held in the address position with the hosel in an upward orientation.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor in view of Micciche and Hockerson. The patent to Taylor shows every feature claimed except for a plate fixedly connected to the front face, the plate being a hard rubber plate. Both Micciche and Hockerson show it to be old in the art of putter heads to include a supplemental plate device to the front of the striking portion of the head in order to desirably alter the ball striking characteristics of the head. Note that Hockerson intends that a "hard" plate be used, as Hockerson indicates that the ball striking pad (22) is fabricated from a material that has sufficient strength and hardness for providing the desired kinematics feel as compared to conventional putter faces made of metal or other hard materials (col. 2, lines 40-46). Similarly, Micciche details that the insert (20) includes a striking surface (50) that that exhibits a hardness less than the hardness of a golf ball (col. 5, line 65 through col. 6, line 9). Nonetheless, the striking surface (50) is deemed to be "hard". Moreover, the applicant has not provided any description that is useful for determining exactly what the degree of hardness is for the claimed plate. Thus, the usual and customary meaning of the term

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hard has been adopted here. In addition, Micciche intends that the insert (20) may simply be added to a traditional putter without changing the structure of an existing putter head assembly, thereby making the insert adaptable to fit a variety of putter heads (col. 4, lines 6-15). In view of the patents to Micciche and Hockerson, it would have been obvious to modify the device in the cited art reference to Taylor by providing a hard rubber plate to the striking surface as needed, the motivation being to alter the ball striking characteristics of the putter head. With respect to the remaining limitations in the claims and with respect to the reference to Taylor, note that the putter head is made of metal, as required by claim 1. Here, Taylor highlights that the metal of the head body is selectively removed for weighting purposes (col. 7, lines 50-60).

Moreover, note upwardly extending well portion (17) at the top surface of the putter head body for accepting a shaft (28). Further, Taylor shows flat surfaces (19), at least one of which may clearly serve as a sighting fin. As to claims 7 and 8, note threaded holes (23, 24) within which weights are removably secured.

Claims 1, 2, 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bendo in view of Micciche, Hockerson and Morrison. The patent to Bendo shows every feature claimed except for a plate fixedly connected to the front face, the plate being a hard rubber plate. Both Micciche and Hockerson show it to be old in the art of putter heads to include a supplemental plate device to the front of the striking portion of the head in order to desirably alter the ball striking characteristics of the head. Note that Hockerson intends that a "hard" plate be used, as Hockerson indicates that the ball striking pad (22) is fabricated from a material that has sufficient strength and hardness

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for providing the desired kinematics feel as compared to conventional putter faces made of metal or other hard materials (col. 2, lines 40-46). Similarly, Micciche details that the insert (20) includes a striking surface (50) that exhibits a hardness less than the hardness of a golf ball (col. 5, line 65 through col. 6, line 9). Nonetheless, the striking surface (50) is deemed to be "hard". Moreover, the applicant has not provided any description that is useful for determining exactly what the degree of hardness is for the claimed plate. Thus, the usual and customary meaning of the term hard has been adopted here. In addition, Micciche intends that the insert (20) may simply be added to a traditional putter without changing the structure of an existing putter head assembly, thereby making the insert adaptable to fit a variety of putter heads (col. 4, lines 6-15). In view of the patents to Micciche and Hockerson, it would have been obvious to modify the device in the cited art reference to Bendo by providing a hard rubber plate to the striking surface as needed, the motivation being to alter the ball striking characteristics of the putter head. Regarding the remaining limitations in claim 1 and with respect to the Bendo reference, note that Bendo is silent with respect to the material of the head. It is clear that the skilled artisan would have found it obvious at the time of the invention to select any commonly used and available material from which to make the club head based upon the characteristics of the material. Here, **OFFICIAL NOTICE** is taken of the fact that metal is a material commonly used in the golf club making art. Furthermore, at least the prior art to Hockerson obviates the use of metal for a club head body (col. 2, lines 18-21). Although Bendo does not explicitly show a hosel, the patent to Morrison shows it to be old in the art to attach a shaft to a putter head either directly or through

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an intermediate hosel (Figures 1, 4 and col. 2, lines 37-45). It would appear that the use of a hosel or lack thereof is a concern from the standpoint of a manufacturing step, as Morrison simply details that the shank (4') provides a more positive arrangement for securing the shaft at the proper angle (col. 3, line 66 through col. 4, line 10). Note upper surface (16) in Bendo forming a sighting fin. As to claim 3, note that Bendo shows a symmetrically formed club head in the heel-to-toe direction, with surface (16) atop the highest part of the cylindrical design. As to claim 6, note the upward and rearward curvature of the sole in Figure 3 of Bendo.


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See the shape of the putter head in Ravaris. Note alignment indicator (h) in Blanchard. See Figure 4 in Holden. Note indicator (14) in Baack. Marshall, Eckert, Johnson and Bacon show alignment devices, of interest. Billen and Swash show alignment indicators. McCabe and Yokich show putters with alignment fins. Sahm shows threaded weights of interest.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sebastiano Passaniti whose telephone number is 571-272-4413. The examiner can normally be reached on Mon-Fri (6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on 571-272-4415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sebastiano Passaniti
Primary Examiner
Art Unit 3711

S.Passaniti/sp
March 3, 2005